

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

INDICTMENT FOR WIRE FRAUD

UNITED STATES OF AMERICA	*	CRIMINAL NO.
v.	*	SECTION:
CYNTHIA MCGOWAN	*	VIOLATION: 18 U.S.C. §1343
	*	*
	*	*

The United States Attorney charges that:

COUNT 1

A. AT ALL TIMES MATERIAL HEREIN:

1. On or about August 29, 2005, Hurricane Katrina struck southeastern Louisiana and shortly thereafter a major disaster was declared. Similarly, a major disaster was declared in Louisiana as a result of Hurricane Rita, which made landfall on September 24, 2005. In response to these hurricanes and the damage inflicted upon the Southeastern Louisiana area, the American Red Cross ("Red Cross") established assistance centers throughout the region in the late summer and early fall of 2005.

2. At these assistance centers, people affected by the storms were able to apply for a one-time only financial grant of up to \$1,565 from the Red Cross. In order to receive these funds, applicants needed to present identification to a Red Cross representative that indicated residence in an affected zone. Applicants were also asked if they had previously received financial assistance from the Red Cross and were required to attest and sign a statement that certified that the applicant had not received any other financial assistance from the Red Cross from any other assistance center.

3. Once approved, the Red Cross made these disaster assistance funds available in one of four ways: (1) A personal check made payable to the applicant, issued on-site, and cashed with the assistance of the Red Cross; (2) A Red Cross-issued "Discover" card, issued on-site, and activated via phone by the applicant; (3) A Red Cross-issued Client Assistance Card, which the Red Cross purchased from national banks and which operated in a manner consistent with debit/credit/ATM cards, issued on-site; (4) A personal check authorized by the Red Cross and mailed through the United States Postal Service to an address provided by the applicant.

4. The Red Cross purchased 12,500 "gift cards" from Capital One Bank, a credit card company. These gift cards were "loaded" with a specific amount of money, depending upon the applicant's qualifications. After activation, the cards were usable in a manner consistent with a debit/credit/ATM card. The authorization and tracking of purchases and withdrawals for the Capital One gift cards was performed by a third-party vendor, First Data Commercial Services ("First Data"), whose platform servers are located in Wilmington, Delaware. When the Capital One card is used to make purchases, a signal is transmitted from the location of the purchase to the servers in Wilmington, Delaware, and then back to the purchase location after the transaction has been authorized.

5. The defendant, **CYNTHIA MCGOWAN**, presented herself to Red Cross assistance centers on nine occasions between on or about September 19, 2005 and on or about October 26, 2005. On at least three occasions, she applied for financial assistance and indicated that she had not received any other financial assistance from the Red Cross. On at least four occasions, she indicated that she had not applied for Red Cross assistance in the past. These statements were false. As result of her actions on these applications, **CYNTHIA MCGOWAN**, received direct financial assistance from the Red Cross in one of the four manners described above, totaling \$14,085, of which \$12,520 was fraudulently obtained.

B. THE SCHEME TO DEFRAUD:

Beginning on or about September 15, 2005 and continuing through on or about October 26, 2005, in the Eastern District of Louisiana and elsewhere, the defendant, **CYNTHIA MCGOWAN**, did knowingly and willfully devise and intend to devise a scheme and artifice to defraud and to obtain money and property from the Red Cross, by means of false representations, pretenses, and promises.

It was part of the scheme and artifice to defraud that on or about October 2, 2005, in the Eastern District of Louisiana, the defendant, **CYNTHIA MCGOWAN**, stated that she had not received any other Hurricane Katrina or Rita financial assistance from the Red Cross at any other assistance center when, in truth and in fact, she had received such assistance on prior occasions.

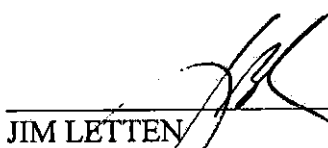
C. THE USE OF THE WIRE:

On or about October 3, 2005, in the Eastern District of Louisiana, the defendant, **CYNTHIA MCGOWAN**, for the purpose of executing and attempting to execute the scheme and artifice to defraud as described in Parts A and B, did knowingly and willfully cause to be transmitted in

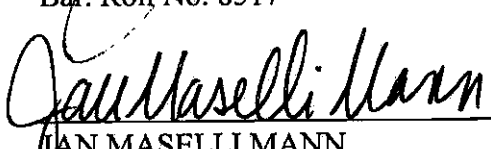
interstate commerce certain writings, signs, signals, and sounds by means of wire communications when the defendant, **CYNTHIA MCGOWAN**, used a Red Cross-issued Capital One debit/gift card numbered XXXX XXXX XXXX 0874 to obtain property, goods, services, and money in the Eastern District of Louisiana, specifically at a Sears Roebuck in Hammond, Louisiana, which caused a signal, sign, writing, and sound to be transmitted to a data center in Wilmington, Delaware back to the Sears Roebuck in Hammond, Louisiana, allowing the defendant, **CYNTHIA MCGOWAN**, to receive the property, goods, services, and money by the use of the falsely and fraudulently obtained Capital One debit/gift card issued to the defendant, **CYNTHIA MCGOWAN** on or about October 2, 2005; all in violation of Title 18, United States Code, Section 1343.

A TRUE BILL:

FOREPERSON



JIM LETTEN
United States Attorney
Bar. Roll No. 8517



JAN MASELLI MANN
First Assistant U.S. Attorney
Bar Roll No. 9020



SHARAN LIEBERMAN
Assistant United States Attorney

New Orleans, Louisiana
June 18, 2009